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To: Representative Teresa Berceau
and members of the Committee on Urban and Local Affairs

Date: August 25, 2009

Re: **AB292 – relating to recording and filing documents with the register of deeds**

Thank you for the opportunity to address this committee in support of AB292 on behalf of the Electronic Recording Council - Wisconsin (ERCWIS).

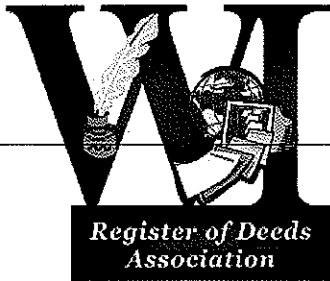
ERCWIS was established under the Uniform Real Property Electronic Recording Act, adopted in Wisconsin as 2005 Act 421. The Council is charged to develop administrative rules and guidance on implementing electronic recording of land documents by Wisconsin Registers of Deeds. In addition, the Council is directed to review the statutes related to real property and the statutes related to recording real property documents and recommend to the legislature any changes in the statutes the Council feels necessary or advisable.

The Council has met monthly over the past two years developing standards for eRecording creating Administrative Rule 70 which became effective on August 1, 2009. With the formation of Administrative Rule 70, and review of the statutes, the Council recommends the following two provisions presented within AB292:

- Authority to reject entire group of related documents (59.43(1)(g))
A register of deeds may reject an entire group of documents unrecorded if one or more documents within the group may not be recorded because it fails to comply with statutory recording requirements.
- Deficient recorded documents considered recorded (706.25(3)(d))
Every document that is recorded by a register of deeds is Considered recorded despite its failure to conform to one or more of the statutory recording requirements.

Respectfully submitted,

Marvel A. Lemke, Chair
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TO: Committee on Urban and Local Affairs

Date: August 25, 2009

RE: **AB 292 relating to recording and filing documents with the register of deeds**

On behalf of the Wisconsin Register of Deeds Association, I am asking for your support of AB292.

AB292 updates (cleans up) various areas within the statutes relating to recording real property documents in the register of deeds offices as follows:

- Margin requirements on all pages to be recorded;
- Recording conveyances of mineral interests in the real estate tract index; and
- Revises the fee for a certificate of a declaration of trust document to be as defined in 59.43(2)(b).

AB292 also creates the authority that a register of deeds may return the entire group of documents unrecorded that have been submitted for recording because of a failure to comply with required statutory requirements; and under section 706.25, uniform real property electronic recording act, AB292 allows for every document that a register of deeds accepts for recording, despite its failure to conform to one or more statutory requirements, is considered recorded.

Thank you for allowing me the opportunity to address your committee in favor of AB292 and for your consideration on passage of this bill.

Respectfully,

Rose Ottum, President

Wisconsin Register of Deeds Association